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June 30, 2022

Via ECF

Honorable Judge John P. Cronan
United States District Court
Southern District of New York
40 Centre Street
New York, New York 10007

Defendants shall respond to Plaintiff's letter by July 6, 2022.

SO ORDERED.

Date: July 1, 2022
New York, New York

A handwritten signature in black ink, appearing to read "John P. Cronan".

JOHN P. CRONAN
United States District Judge

Re: **Chumil v. Open Kitchen LLC, et al.**
21-CV-5085 (JPC)

Dear Judge Cronan:

Our office represents the Plaintiff in the above-referenced matter, and we submit this status report and motion to stay all deadlines in this matter for 30 days. As explained below, we make this request as our office has not been able to communicate with our client in recent weeks.

The parties scheduled mediation through the SDNY Mediation Program for June 27, 2022, however, the mediation did not proceed as our office has since lost all contact with our client. Our office has not been able to reach the Plaintiff for at least a month since scheduling the mediation, despite our office's numerous attempts at contacting the plaintiff via telephone, emailing, texting, and mailing to his home address in addition to sending someone to his home to see if we could locate him in person. As such, we have been unable to litigate or mediate this case as a result.

Accordingly, we respectfully ask the Court to issue a 30-day stay and/or extension on all deadlines in this matter, including the mediation deadline and Defendants' time to Answer the Complaint, to see if we can reestablish contact with our client and reschedule the mediation. Should our office remain unable to do so by July 29, 2021, we can appropriately apprise the Court to that end, at which point our office may file a notice of discontinuance without prejudice¹ of this matter due to our inability to litigate or mediate in the absence of our client.

We have attempted to obtain the consent of Defendants on what we believe is a routine request in light of the circumstances and the fact that Plaintiff has repeatedly agreed to extensions of time for Defendants to Answer, but the parties do not appear to agree on all aspects of the relief requested herein.

We thank the Court for its consideration on this matter, and we remain available to provide any additional information.

¹ As Defendants have not yet served an Answer or other responsive pleading, Plaintiff may file a notice of dismissal pursuant FRCP 41(a)(1)(A).

Respectfully submitted,

/s/
James O'Donnell, Esq.